

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

VARCO I/P, INC., §
§
Plaintiff, §
§
VS. § CIVIL ACTION NO. H-06-2528
§
TESCO CORPORATION (US), INC., §
§
Defendant. §

ORDER DENYING MOTION FOR RECONSIDERATION

This case was transferred from the Western District of Louisiana based on the substantial overlap with a case pending in this court, involving the same parties and alleging the invalidity and infringement of the same patent. Varco I/P, Inc. moves for reconsideration of the transfer decision, asking this court to transfer this case back to the Louisiana court and to transfer the related case to Louisiana as well.

This court issued a Memorandum and Opinion on July 17, 2006 in the related case, 05-2118, explaining why it did not transfer the case to Louisiana but instead allowed the Louisiana court, which had the first-filed of the two cases, to decide whether the cases should proceed in Texas or Louisiana. The Louisiana court decided that the cases should proceed in Texas and accordingly transferred the Louisiana case to this district and division. To the extent the motion for reconsideration asks this court to reconsider its decision not to transfer the Texas case to Louisiana, it is denied. To the extent the motion for reconsideration asks

this court to review the transferor court's decision to transfer the Louisiana case to Texas, it is also denied. *In re Cragar Indus., Inc.*, 706 F.2d 503 (5th Cir. 1983).

The decisions on the transfer motions in both cases have resulted in one court handling two cases that raise the same issues and involve the same parties. The purpose of the first-filed rule has been met. The motion for reconsideration is denied.

This case, 06-2528, is consolidated into 05-2118. All filings are to be made only in 05-2118. This case is administratively closed.

SIGNED on August 18, 2006, at Houston, Texas.



Lee H. Rosenthal
United States District Judge